

MINUTES
CEDAR VALLEY DISTRIBUTION SYSTEM
Wednesday, February 24, 1999

This meeting was called to order by Board Member Bud Garfield who stated that Chairman Brent Jones was unable to attend the meeting and had asked him to conduct in his absence. He recognized the presence of Lee Sim and John Larsen from the State office.

Mr. Garfield then asked Secretary LaRee Garfield to read the Minutes of the 1998 meeting, following which, he called for a discussion of the Minutes. Mr. Sim noted that the reference made to the water dropping in the Milford area, in the fifth paragraph, page 2, the water "dropped three feet," rather than 30 feet as stated in the Minutes. With that correction, Gary Rollo moved for approval of the Minutes; Ted Nelson seconded; Minutes approved as corrected.

Mr. Garfield turned the time to Mr. Sim for the Financial Report. Mr. Sim stated that we started 1998 with a balance of \$9,600.17, and the balance at the end of the year was \$9,249.01. We received \$7,473.48 in regular assessments, \$101.75 in delinquent penalties, and interest was earned in the amount of \$644.43, for a total of \$8,219.66 in receipts. Expenditures totaled \$8,570.82.

The 1998 Budget Expenditures were reviewed. We were within budget on all line items. The 1998 assessment was \$7,500.00, and we had \$418.18 left in the budget at the end of 1998. Mr. Sim commented that the legislature amended the law concerning the bonding of Commissioners, and it no longer necessary to bond the Commissioner. The money budgeted for that purpose last year was not spent, and it will not be necessary to budget for that item this year.

Mr. Sim discussed the delinquent account and stated that none of the delinquencies are large enough to cause any real concern. The State will send notices with the assessments. Delinquencies totaled \$362.52, and some may have been paid since the report was printed.

Rue Gene Rollo commented that Dee Mackelprang, the secretary of the Northwest Field Irrigation Company passed away this past year, and they have a new secretary. Rusty Aiken stated that he is the new secretary of that irrigation company.

Ted Nelson moved for approval of the Financial Report; Sam Bauer seconded; motion carried.

Mr. Garfield then asked Rue Gene Rollo, Water Commissioner, to present his report. Mr. Rollo reported that 1998 was a good water year. The precipitation as measured at the Cedar City

Airport was 13.31 inches, which is 2.14 inches above the 30 year average. The runoff from Coal Creek was 45,580 acre feet, which was well above 1997. The peak discharge of the creek was 731 cubic feet per second and occurred, May 20. The data from well meters is so poor, that no reasonable conclusions can be drawn from this data relative to the total amount of water diverted from the underground aquifer. However, the USGS estimates that 34,000 acre feet was withdrawn in 1997, and there is no reason to believe 1998 will be significantly different. The USGS estimate for 1998 will be available in the late summer or fall of 1999. The USGS has been measuring the depth of water in the underground from the land surface at 26 locations in the Cedar Valley area. They publish hydrographs of nine of the test locations. These hydrographs indicate that the water depth from the land surface generally increased from the beginning of data until the late 70's or early 80's. Beginning in the late 70's, there is about a 10 year period during which the depth of water from the surface again decreased. The period from the late 80's to 1996 again saw a general increase in the depth of water from the land surface. As can be seen on the hydrographs provided, 1997 was more or less a break even year, and 1998 should be better.

Several things need to be done to make the data and the report more useful, the most glaring of which is the resolution of the problems outlined on page 27 concerning the meter readers observations.

The Commissioner has the following inventory in his possession:

- 1 IBM electric typewriter S/N 6548935 which doesn't work
- 1 HP Model 25 calculator S/N 1502A02235
- 1 Four drawer file cabinet
- 1 Hewlett Packard Vectra N24/66 computer S/N 3432A12538
- 1 Hewlett Packard Video Graphic Color Display S/N91

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- 1 Hewlett Packard Laserjet II computer printer

Mr. Garfield called for a motion to accept the Commissioner's Report. Rusty Aiken so moved; Ramon Prestwich seconded; Report approved as printed.

Mr. Garfield then stated that it was necessary to prepare the budget for 1999. Sam Bauer moved that we increase the Commissioner's salary by \$500.00; Gary Rollo seconded; motion carried. With that addition and the deletion of the bonding expense, the budget for 1999 will be \$9,412.00 Ted Nelson moved that we accept that budget and that the assessment remain at \$7,500; Ramon Prestwich seconded; motion carried.

Ted Nelson asked who is responsible for the meters, and Mr. Sim replied that the owners are responsible for their own meters, including putting the meters on and keeping them repaired. Kerry Carpenter, the State Engineer in this area, said that reading

meters is not a very effective way of regulating people, and the most effective way is to make sure they are within their water allotment. They have been working in the Milford Valley and will some day get to the Cedar Valley. Until we can figure out a way to get staff and research, we are not going to make much progress.

Mr. Sim said that the irrigation in Milford is much the same as it was last year. The water has gone down about two feet this year. Most of the water rights were approved in the 1950's, and at that time too many water rights were allotted.

Mr. Carpenter said that the definition of water rights is "beneficial use," and regulating by acres is the most efficient way to regulate the impact on the aquifers. Ted Nelson said that if a person waters more efficiently, he should be able to use the water allocated to him. Mr. Carpenter commented that in the Milford Valley, water is being consumed more efficiently, but the aquifers are still being depleted.

Mr. Garfield then stated that it was necessary to elect a chairman and three board members. The current board members are Tom Cardon, Bud Garfield and Paul Nelson. Ted moved that we retain Bud Garfield and Paul Nelson; Alex Rollo seconded; motion carried. Because Tom Cardon will be leaving for an LDS Mission, it is necessary to replace him on the board. Alex Rollo nominated Ramon Prestwich; Gary Rollo seconded. RueGene moved that nominations cease; motion seconded; motion carried.

Mr. Sim reported that in the past in the Cedar City office, it has been possible to lease some water for a year without filing a temporary change application. However, from now on, it will be necessary to come into the office, before irrigation is begun on a new piece of land, and file a temporary change application and lease the water for a year.

Mr. Sim also reported that the State would like to propose a change to the legislature regarding the Commissioner. At the present time, Commissioners are recommended and reappointed every year. However, most water systems are complicated enough that it takes at least a year to learn what they are doing, and so the State will propose that the term of office for a Commissioner be changed from a one year term to a four year term. Commissioners will be evaluated with a performance review each year, and if there are problems with the Commissioner, the State Engineer will remove them, upon the recommendation of the majority of the water users. Worth Grimshaw said that he would like to think about the recommendation before he would support it. Mr. Sim asked that he put his concerns in writing and send them to him. Mr. Carpenter said that the legislation will not be proposed until next year, and if it passed, it would not take effect until the following year, so there is plenty of time to voice our concerns.

Gary Rollo said that he would like to see the problems with

the wells resolved, and Mr. Sim said that they just don't have the staff to enforce this matter. Mr. Carpenter suggested that everyone look over the documentation in the Commissioner's Report and get with RueGene and Gary and make the corrections. Mr. Carpenter said that duplications in accounts can be consolidated into one account. Mr. Sim and Mr. Carpenter said that the account numbers used at the present time are merely for accounting purposes and could be changed in the data base, if necessary. Gary Rollo said that as long as we are working in the direction to correct the problems, that would help.

Alex Rollo moved for adjournment; Ramon Prestwich seconded; Meeting adjourned at 8:15 p.m.